

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN) ECF Case
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This document relates to:

Burnett, et al. v. Islamic Rep. of Iran, et al., 15-cv-9903 (GBD)(SN)

Arias, et al. v. Islamic Rep. of Iran, 1:19-cv-00041 (GBD)(SN)

Prior, et al. v. Islamic Rep. of Iran, 1:19-cv-00044 (GBD)(SN)

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), the following Plaintiffs hereby voluntarily dismiss without prejudice their claims against all Defendants in *Burnett, et al. v. Islamic Rep. of Iran, et al.*, Case No. 15-cv-9903 (GBD)(SN), *Arias, et al. v. Islamic Rep. of Iran*, 1:19-cv-00041 and *Prior, et al. v. Islamic Rep. of Iran*, 1:19-cv-00044 (GBD)(SN):

1. Vincent H. Bailey, as the Personal Representative of the Estate of **Andrew Joseph Bailey**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3278);¹
2. **Ina Lorraine Barnes**, Individually, as Spouse of Roy J. Barnes, Deceased (initially filed: ECF 1:19-cv-00041, 1, Appx. pg. 13);
3. **James W. Berghorn**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 3697);
4. Julio Caceres, as the Personal Representative of the Estate of **Lillian Caceres**, Deceased (initially filed: ECF 1:19-cv-00041-UA, 5);²
5. **Craig D. Carlson**, Individually, as Ex-Spouse of Rosemarie C. Carlson, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3086);
6. **Gary E. Carpentier**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 3782);

¹ The claim for Vincent H. Bailey, Individually as the father of Andrew Joseph Bailey (initially filed ECF 1:15-cv-09903, 53 at 3278), is not being dismissed.

² The claim for Julio Caceres, Individually, as Spouse of Lillian Caceres, Deceased (initially filed ECF 1:15-cv-09903, 53 at 518), is not being dismissed.

7. Dana Donohue, as the Personal Representative of the Estate of **Dennis M. Cook**, Deceased (initially filed: ECF 1:03-md-01570, 5511, Exhibit A);³
8. Amy Waters Davidson, as the Personal Representative of the Estate of **Scott Davidson**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 526);
9. **Simone Mitchell**, Individually, as domestic partner of Clinton Davis, Sr., Deceased (initially filed: ECF 1:15-cv-09903, 53, at 1526);
10. **Heather Downey**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 3933);
11. **Neil C. Fitzpatrick**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4004);
12. **Sheila M. Fuller**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4023);
13. **Kenneth M. Gunther**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4094);
14. **Ana Rosario**, Individually, as domestic partner of Emencio Dario Hidalgo, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 1592);
15. **James Holly**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4156);
16. **Anna V. Ivantsov**, Individually, as Spouse of Aleksandr Ivantsov, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3609);
17. Anna V. Ivantsov, as the Personal Representative of the Estate of **Aleksandr Ivantsov**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3609);
18. **Arnold Lederman**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4280);
19. **Vyacheslav Ligay**, Individually, as Personal Representative of the Estate of **Zhentta Ligay**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3508);
20. **Vyacheslav Ligay**, Individually, as Spouse of Zhentta Ligay, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3508);
21. Peter J. Lynch, as Personal Representative of the Estate of **James Francis Lynch**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 2229);⁴

³ The claim for Dana Donohue, Individually as the spouse of Dennis M. Cook (initially filed ECF 1:15-cv-09903, 53 at 1545), is not being dismissed.

⁴ The claim for Peter J. Lynch, Individually as the sibling of James Francis Lynch, Deceased (initially filed 1:15-cv-09903, 53 at 2229), is not being dismissed.

22. **Sheila McPherson**, Individually, as Sibling of Colin R. McArthur, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3161);
23. Suzanne P. McDermott, as Personal Representative of the Estate of **Matthew Thomas McDermott**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3289);⁵
24. **Thomas F. McGrade**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4403);
25. Barbara Bridges, as Personal Representative of the Estate of **Sharon Moore**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3027);⁶
26. **Kenneth J. Muxie**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4493);
27. **Patricia M. Nussberger**, Individually, as Spouse of Robert H. Nussberger, Injured (initially filed: ECF 1:15-cv-09903, 53, at 4518);
28. **Alan M. Nussberger**, Individually, as Child of Robert H. Nussberger, Injured (initially filed: ECF 1:15-cv-09903, 53, at 4516);
29. **Robert A. Nussberger**, Individually, as Child of Robert H. Nussberger, Injured (initially filed: ECF 1:15-cv-09903, 53, at 4515);
30. James O'Brien, as Personal Representative of the Estate of **James O'Brien, Jr.**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3066);⁷
31. Antoinette D. Ognibene, as Personal Representative of the Estate of **Philip P. Ognibene**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 12);⁸
32. Catherine Powell, as Personal Representative of the Estate of **Scott A. Powell**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 406);⁹
33. Asmareli Sago, as Domestic Partner and as Personal Representative of the Estate of **Antonio Pratt**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 2692);
34. **Teresa Roig**, Individually, as Ex-Spouse of Julio Roig, Jr., Injured (initially filed: ECF 1:15-cv-09903, 53);

⁵ The claim for Suzanne P. McDermott, Individually as the sibling of Matthew Thomas McDermott, Deceased (initially filed 1:15-cv-09903, 53 at 3289), is not being dismissed.

⁶ The claim for Barbara Bridges, Individually as the parent of Sharon Moore, Deceased (initially filed 1:15-cv-09903, 53 at 3027), is not being dismissed.

⁷ The claim for James O'Brien, Individually as the parent of James O'Brien, Jr., Deceased (initially filed 1:15-cv-09903, 53 at 3066), is not being dismissed.

⁸ The claim for Antoinette D. Ognibene, Individually as the parent of Philip P. Ognibene, Deceased (initially filed 1:15-cv-09903, 53 at 12), is not being dismissed.

⁹ The claim for Catherine Powell, Individually as the parent of Scott A. Powell, Deceased (initially filed 1:15-cv-09903, 53 at 406), is not being dismissed.

35. Maria Carmen Penafiel, as Personal Representative of the Estate of **Hugo Manuel Sanay-Perefiel**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3460);¹⁰
36. Alberto A. Santoro, as Personal Representative of the Estate of **Mario L. Santoro**, Deceased (initially filed: ECF 1:19-cv-00044, 1, Appx. at 10, 4778 at 6);¹¹
37. Ann Simpkin, as Personal Representative of the Estate of **Jane L. Simpkin**, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 3486);¹²
38. **David Sozio**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4777);
39. Richard W. Stewart, as Personal Representative of the Estate of **Daniel E. Stewart** (initially filed: ECF 1:19-cv-00044, 1, Appx, pg. 11; 1:03-md-01570, 4778 at 6);¹³
40. **Diana Stewart**, Individually, as Ex-Spouse of Michael James Stewart, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 241);
41. **Alex Tabeek**, Individually, as Ex-Spouse of Joann Tabeek, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 562);
42. **Eileen M. Bertorelli**, Individually, as Niece of John M. Talignani, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 2338);
43. **Monique Padilla-Ferrer**, Individually, as Ex-Spouse of Michael A. Trinidad, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 1685);¹⁴
44. **James S. Weisenburger, Jr.**, Individually, as an Injured Party (initially filed: ECF 1:15-cv-09903, 53, at 4911);
45. **Karla Weiss**, Individually, as Ex-Spouse of David Martin Weiss (initially filed: ECF 1:15-cv-09903, 53, at 2065);¹⁵
46. **Denise Dileo Fisher**, Individually, as Ex-Spouse of Thomas J. Fisher, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 1365);

¹⁰ The claim for Maria Carmen Penafiel, Individually as the parent of Hugo Manuel Sanay-Perefiel, Deceased (initially filed 1:15-cv-09903, 53 at 3460), is not being dismissed.

¹¹ The claim for Alberto Santoro, Individually as the parent of Mario L. Santoro, Deceased (initially filed 1:15-cv-09903, 53 at 139), is not being dismissed.

¹² The claim for Ann Simpkin, Individually as the parent of Jane L. Simpkin, Deceased (initially filed 1:15-cv-09903, 53 at 3486), is not being dismissed.

¹³ The claim for Richard W. Stewart, Individually as the parent of Daniel E. Stewart, Deceased (initially filed 1:15-cv-09903, 53 at 2190), is not being dismissed.

¹⁴ The claim for Monique Padilla-Ferrer, as the Personal Representative of the Estate of Michael A. Trinidad, Deceased (initially filed 1:15-cv-09903, 53 at 1685), is not being dismissed.

¹⁵ The claim for Karla Weiss, as the Personal Representative of the Estate of David Martin Weiss, Deceased (initially filed 1:15-cv-09903, 53 at 2065), is not being dismissed.

47. **Judy C. Cirri**, Individually, as Ex-Spouse of Robert D. Cirri, Sr., Deceased (initially filed: ECF 1:15-cv-09903, 53, at 2221);
48. **Edward D. Williams**, Individually, as Spouse of Manette M. Beckles, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 2647);¹⁶
49. **Jane Jones**, Individually, as Ex-Spouse of Paul Stuart Gilbey, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 1417);
50. **Doe AP91**, Individually, as Ex-Spouse of Doe AP91, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 176); and
51. **John Benedetto**, Individually, as Ex-Spouse of Denise Lenore Benedetto, Deceased (initially filed: ECF 1:15-cv-09903, 53, at 586).

This Notice of Voluntary Dismissal is limited only to dismissing the claims as noted above from this action. None of the opposing parties in these actions have served either an answer or a motion for summary judgment. All other Plaintiffs maintain and continue to prosecute their claims against the Defendants in the above-captioned case.

Dated: April 18, 2024

Respectfully submitted,

MOTLEY RICE LLC

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¹⁶ The claim for Edward D. Williams, as the Personal Representative of the Estate of Manette M. Beckles, Deceased (initially filed 1:15-cv-09903, 53 at 2647), is not being dismissed.